

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

TUESDAY, THE 13TH NOVEMBER 2007 / 22ND KARTHIKA 1929

WP(C).No. 24602 of 2007(D)

PETITIONER:

**K.A.MOHAMMED,
1/257 A, KUNNATHU HOUSE, RAYONPURAM P.O.,
PERUMBAVOOR.**

**BY ADV. SRI.M.RAJASEKHARAN NAYAR
SMT.K.N.RAJANI
SMT.MANJUSHA MOHANDAS
SMT.ANILA PETER**

RESPONDENTS:

- 1. KERALA STATE ELECTRICITY BOARD,
REPRESENTED BY THE SECRETARY, VYDHYUTHI BHAVAN,
THIRUVANANTHAPURAM-4.**
- 2. CONSUMER GRIEVANCE REDRESSAL FORUM,
CENTRAL ZONE, POWER HOUSE, ERNAKULAM.**
- 3. DEPUTY CHIEF ENGINEER,
ELECTRICAL CIRCLE, KSEB, PERUMBAVOOR.**
- 4. ASSISTANT ENGINEER (ELECTRICAL SECTION),
KSEB, VENGOLA, PERUMBAVOOR, PIN-682 554.**

BY ADV. SRI.P.P.THAJUDEEN, SC, K.S.E.B

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 13/11/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

WP(C) NO: 24602/2007 D

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE INVOICE NO. AG. NO. 47398 DT. 15/7/2006.

EXT.P2. COPY OF THE ORDER NO. DB8/05-06/260 BY THE R4 TO THE PETITIONER DT. 22/12/2006.

EXT.P3. COPY OF THE ORDER NO. GB/AP-43/06-07/DDD PBVR BY THE R3 TO THE PETITIONER DT. 10/5/07.

EXT.P4 AND P4A. COPY OF THE INVOICES NO. AF. 016202 AND AF NO. 012197 TO THE PETITIONER ON 15/3/2007 AND 16/4/2007 RESPECTIVELY.

EXT.P5. COPY OF THE ORDER NO. CGRF-CR/COMP.10/2007-08 BY THE R2 TO THE PETITIONER DATED 30/07/2007.

RESPONDENT'S EXHIBITS NIL.

True copy

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THOTTATHIL B. RADHAKRISHNAN, J.

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WP(C).No.24602 of 2007-D

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Dated this the 13th day of November, 2007.

JUDGMENT

- 1.Ext.P5 is an order passed by the Consumers' Grievance Redressal Forum of the Kerala State Electricity Board. The petitioner has an alternate efficacious remedy before the Ombudsman appointed under the Electricity Act for redressal of any grievances against Ext.P5.
- 2.Though Ext.P5 has been issued without hearing him, such a plea would also be available before the Ombudsman. That apart, even if the petitioner was not heard by the CGRF, such defect could be cured by an appropriate and complete hearing at the hands of the Ombudsman.
- 3.The petitioner has deposited an amount of Rs.10,000/-

following the interim order dated 14-8-2007.

In the result, this writ petition is disposed of relegating the petitioner to make appropriate application before the Ombudsman for consideration of his case. To enable the petitioner to do so and seek interlocutory orders, if necessary, it is directed that the order of stay of recovery of balance amount issued on 14-8-2007 will continue to govern the parties for a further period of 45 days.

**THOTTATHIL B. RADHAKRISHNAN,
JUDGE.**

Sha/